

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board

Paper No. 31

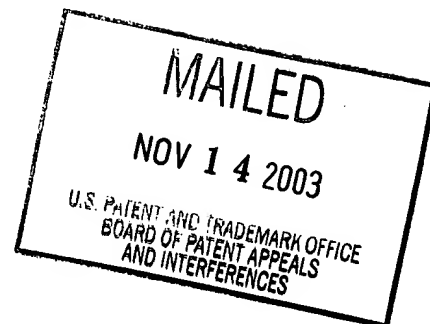
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte PAUL DRZAIC
and RUSSELL J. WILCOX

Appeal No. 2004-0103
Application 09/289,507

ORDER REMANDING TO EXAMINER



The Examiner's Answer was filed on April 7, 2003 (Paper No. 28). The reply brief filed in this application was matched at the Board of Patent Appeals and Interferences (BPAI) on October 28, 2003 (Paper No. 30). This reply brief has not been considered by the examiner. The application is being remanded to the examiner for such consideration.

However, in accordance with the revision effective December 1, 1997 (Title 37, Code of Federal Regulations, § 1.193 states:

(b)(1) ... The primary examiner must either acknowledge receipt and entry of the reply brief or withdraw the final rejection and reopen prosecution to respond to the reply brief.

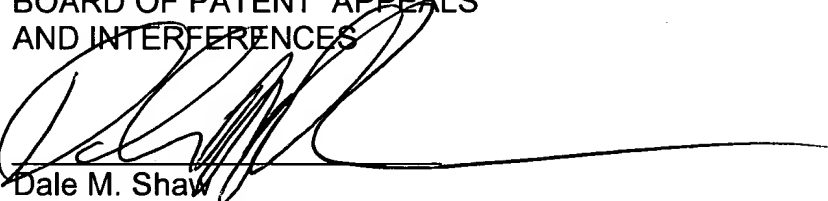
Appeal No. 2004-0103
Application 09/289,507

Accordingly, it is

ORDERED that the application is remanded to the examiner for
consideration of Paper No. 30.

It is important that the Board of Patent Appeals and Interferences be promptly
informed of any action affecting the appeal in this case.

BOARD OF PATENT APPEALS
AND INTERFERENCES



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